



WP.No.661 of 2025

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In the High Court of Judicature at Madras

Dated : 10.1.2025

Coram :

The Honourable Ms.Justice P.T.ASHA

Writ Petition No.661 of 2025

A.Elango

Vs

...Petitioner

1. The District Revenue Officer
Office of the District Revenue Officer
Collectorate Building, Salem District
Salem.
2. The Revenue Divisional Officer
Sankari Taluk, Tiruchengode Road,
Sankari, Salem District.
3. The Tahsildar, Sankari Taluk
Tiruchengode Road, Sankari
Salem District.
4. The Taluk Surveyor
Sankari Taluk.

...Respondents

PETITION under Article 226 of The Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents 3 and 4 to measure the property comprised in S.Nos.14/1, 14/2, 14/5, 14/6, 14/9, 14/12, 14/13, 14/14A and 14/15A of Morur Bit 1 Village, Sankari Taluk, Salem District as per patta No.564 and fix the boundary stone by considering the petitioner's representation dated 25.11.2024.



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WP.No.661 of 2025

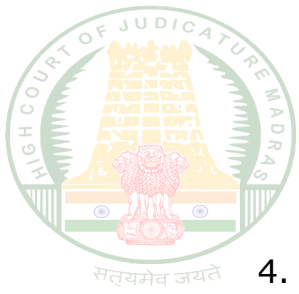
For Petitioner : Mr.T.I.Thirumalaisamy
For Respondents : Mr.P.Sathish, AGP

ORDER

Seeking a direction to respondents 3 and 4 to consider his representation dated 25.11.2024 to conduct a survey and demarcate boundaries in respect of the properties in S.Nos.14/1, 14/2, 14/5, 14/6, 14/9, 14/12, 14/13, 14/14A and 14/15A of Morur Bit 1 Village, Sankari Taluk, Salem District as per patta No.564, the petitioner is before this Court.

2. Heard the learned counsel for the petitioner and the learned Additional Government Pleader accepting notice for the respondents.

3. The case of the petitioner is that the subject properties belonged to his grandfather. After the demise of his grandfather, the petitioner's father and his paternal uncle were in possession and enjoyment of the same. After the demise of his paternal uncle, the petitioner's father and the legal heirs of the petitioner's uncle were in joint possession and enjoyment of the subject properties. Later, the petitioner, his father and the legal heirs of his paternal uncle entered into a partition deed dated 27.6.2001 registered as doc.No.667 of 2001 on the file of the Sub-Registrar, Sankari, pursuant to which, the subject properties and other properties fell to the share of the petitioner. Patta No.564 was also issued in favour of the petitioner.



WP.No.661 of 2025

4. When the adjacent land owners attempted to encroach the subject properties, the petitioner made an online application dated 25.11.2024 to the third respondent seeking to conduct a survey and fix the boundaries by paying necessary charges. He also sent a representation dated NIL to the third respondent seeking to conduct a survey and fix boundaries. However, nothing was forthcoming. Hence the writ petition.

5. Considering the facts and circumstances of the case, the writ petition is allowed and a Mandamus is issued to the third respondent to conduct a survey in respect of the subject properties. The petitioner shall submit all the relevant records to show his title to the subject properties and the third respondent shall, after issuing notice to the adjacent land owners and interested parties, hold an enquiry and thereafter pass orders either surveying the subject properties and fixing the boundaries or rejecting the request. In case of rejection, a speaking order shall be passed. The aforesaid exercise shall be completed within a period of four months from the date of receipt of a copy of this order. No costs.

10.1.2025

RS



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WP.No.661 of 2025

P.T.ASHA,J

RS

To

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Salem.
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Sankari Taluk, Tiruchengode Road,
Sankari, Salem District.
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